

§ 317.33

(2) All requests for access to these records must be processed in accordance with the OPM Federal Personnel Manual as well as DCAA Manual 1400.1⁹, "DCAA Personnel Management Manual."

(3) When DCAA initially denies access to a record in an OPM Government-wide system, the agency shall instruct the individual to direct any appeal to the Assistant Director for Workforce Information, Personnel Systems and Oversight Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415-0001.

§ 317.33 Privacy Act case files.

(a) Documents used in processing notification, access, and amendment requests made under the Privacy Act or this part shall be filed in a Privacy Act case file established for each request, not in the record to which they pertain.

(b) Privacy Act case files should contain the following information:

(1) The request to be notified if a system of records contains a record pertaining to the individual and the request for access and amendment.

(2) Approval, denial, request for appeal, action on appeal, coordination action, and other documents relating to the request; and

(3) Documentation of reasons for exceeding the established time limits for processing the request.

(c) The Privacy Act case file shall not contain a copy of the record and shall not be used to make any determination about the individual, other than determinations about the Privacy Act request.

(d) The case file shall be used only to process requests and provide statistics such as for the annual report required by the Privacy Act.

Subpart E—Amendment of Records

§ 317.40 Individual review and amendment.

Individuals are encouraged to review periodically the information maintained about them in systems of

⁹See footnote 1 to § 317.1(a).

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records, and to avail themselves of the amendment procedures established by this part.

§ 317.41 Amending records.

(a) *Right to request amendment.* An individual may request the amendment of any record retrieved by his or her personal identifier from a system of records, unless the system has been exempted from the amendment procedures. See § 317.133. Amendments are limited to correcting factual matters, not matters of opinion such as those contained in evaluations of promotion potential and performance appraisals.

(b) *Written amendment request.* The agency may require that amendment requests be in writing; however, this requirement shall not be used merely to discourage individuals from requesting valid amendments or to burden needlessly the amendment process. Only written amendment requests must be documented in the Privacy Act case file.

(c) *Content of amendment request.* An amendment request must include:

(1) A description of the information to be amended.

(2) The reason for the amendment.

(3) The type of amendment action sought (deletion, correction, or addition); and

(4) Copies of available documentary evidence supporting the request.

§ 317.42 Burden of proof.

The individual must provide adequate support for the request.

§ 317.43 Verifying identity.

The individual may be required to provide identification to prevent the inadvertent or intentional amendment of another's record.

§ 317.44 Limits on amending judicial and quasi-judicial evidence and findings.

This part does not permit the alteration of evidence presented in the course of judicial or quasi-judicial proceedings. Amendments to such records must be made in accordance with procedures established for such proceedings. This part does not permit a collateral attack on a judicial or quasi-